

MINUTES  
HAMILTON COUNTY BOARD OF COMMISSIONERS  
AUGUST 29, 2014  
Hamilton County Highway Department  
1700 S. 10<sup>th</sup> Street  
Noblesville, Indiana

President Altman called the meeting to order declaring a quorum present of Commissioner Christine Altman and Commissioner Mark E. Heirbrandt. Commissioner Steven C. Dillinger was absent.

**Evidence Based Decision Making Initiative**

Judge William Hughes informed the Commissioners of the opportunity for Hamilton County to apply to participate in the National Institute of Corrections (NIC) Evidence Based Decision Making Pilot Program. Grant County has been participating in this pilot program for the last five (5) years. The NIC is expanding this program to five states with seven competing and of those five states there will be six to seven counties within the state in addition to a State team that works to pilot these programs from the arrest through release from probation. Hamilton County has been using evidence based practices since 1999. We think it is important to participate, this is coming and everybody will be doing it at some point in time. Hamilton County should be in the forefront to help shape it and because this is a critical time for us because within one year we will be dealing with almost all of the county's "D" felons in Hamilton County. Currently we are sending a lot of "D" felons to the prisons and we need to find ways to deal with them in the county so we don't have these people coming back. If we are selected as one of the counties we will receive primarily technical assistance from NIC and from the State team. The technical assistance provides us with people to help us deal with thorny issues and it may include some funding from the State. All the county's judges, defense counsels, Prosecutor, Victim's Assistance Program, the Sheriff's department and Community Corrections are on board. We hope to have identified at least one if not two municipal police agencies to sit on this committee. They also want the Commissioners and Council to participate and have asked State Representative Richardson to participate. A representative from the State Judicial Conference will participate along with someone from the Department of Corrections. If we do not receive the award to become one of the pilot counties we still want to do this because we need to do it. This does not replace bricks and mortar but we are going to have to do something with programming in dealing with these people that we have to keep in the county.

The model uses research of what works to form our decisions with what we do with people. We assess their risks throughout the system and address the risk. Their risk to re-offend and their criminogenic needs, which are those impacts that cause them to be more likely to re-offend. We address programming to those things. We address it with cognitive and researched based proven programming that has some reduction in recidivism. If it does not reduce recidivism we are probably not going to do it. Some of the people we see we don't need to do anything with and they are not going to re-offend, some people no matter what we do will re-offend and we put those people away for as long as we can. The group in the middle that if we target programming to them and other aspects we can reduce the likelihood that they will be back in the system which is where we will target our resources that we have to use as the best that we can. Altman asked there is a change in the paradigm in the criminal justice system is to protect society and keep people from re-offending verses punishment? Hughes replied yes, that has always been

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the paradigm we are required to have under the Constitution but the theme of this is one less crime, one less wasted tax dollar.

Heirbrandt asked what has been the success of the Grant County pilot? Hughes replied they were under federal mandate to get people out of their jail because they were overcrowded and they met that mandate without bricks and mortar at that point in time. With everyone sitting in the same room they were able to reduce duplication of services to actually reduce the period of time that citizens were in the criminal justice system which they see as a benefit.

Altman informed Hughes that the Commissioners are beginning the process of a review of the corrections facilities, what do we need to do from a bricks and mortar standpoint now in looking forward to support this change? Hughes replied the building that is actually built will look more like a classroom rather than a warehouse. The programming space is going to be necessary to deal with the "D" felons. One of the reasons we are sending "D" felons to prison is because we don't have programming here to deal with their bad behaviors but we are going to have them here so either we deal with those bad behaviors and try to make a difference or we will be overwhelmed. Heirbrandt asked when Hughes sees we are going to be overloaded with this? Hughes replied we sent approximately 500 people to prison last year on a "D" felony and we are not going to be able to send those people, we will have to deal with it here. Altman asked if all of the "D" felons will have to stay in the county? Hughes replied if they are in prison for more than one year beginning July 1, 2015 we have to deal with them here and most "D" felons are not actually in prison for more than one year since the maximum they can be given is nine months. Hughes reported they have been told that the State is aware they are putting a heavy burden back on the county and there will be funding coming in the next legislative session. It will probably be funding for programming as opposed to funding for building.

Altman thinks we are well positioned; we will be looking at the Juvenile facilities because she thinks they are underutilized to see if they can be repurposed. Hughes added we think this is a way to help with that process, we do not see replacing it or opposing it; we see it as informing and assisting and we are glad to do anything we possibly can to help you as you go through that process. Altman asked if they can have someone from their group sit in on the planning meetings? We are currently going through a Request for Proposal (RFP) process to select someone to review our Master Plan and to look at our facilities. Someone that knows where we are going needs to sit in on this review and selection process. Hughes is not sure who that person is today but will be happy to help the Commissioners identify the correct person.

Hughes informed the Commissioners that the deadline to submit the Letter of Intent is Wednesday, September 3<sup>rd</sup>; the State's deadline is November 1<sup>st</sup> with an award on December 1<sup>st</sup> with implementation January 1, 2015. By putting evidence based practices early in the process, at arrest, at the time of bond,

MINUTES  
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AUGUST 29, 2014  
Hamilton County Highway Department  
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Noblesville, Indiana

at the time of plea, at the time of diversion, the results where this has been a reduction in the pre-trial population in jails so that bed that is being used by a pre-trial person is available to be used for somebody else.

**Public Safety Training Facility Entrance**

Sheriff Mark Bowen reported he has reviewed his budget and determined he can contribute \$20,000 towards the paving and drainage for the entrance to the public safety training facility. This was bid as an addendum to Resurface Contract 14-02 with the lowest bid at \$82,630. Councilor Steve Schwartz asked if Noblesville and Fishers have been contacted regarding a contribution? Heirbrandt replied this is Westfield's property and there are Interlocal agreements in place with Fishers and Noblesville regarding operations and that money cannot be used for capital improvements. The Commissioners have listed the training facility as one of the top three projects in terms of priority of the un-funded priorities.

**Bid Award - Resurface Contract 14-02**

Mr. Dan Stevens checked with Curt from the Town of Westfield regarding the county's share for the Public Safety Training Facility; Curt has confirmed that the money would have gone towards the paving project so the county can use the \$16,760 towards the paving in lieu of sending a check to Westfield. Altman confirmed the Sheriff will contribute \$20,000, Westfield will contribute \$40,000 and County will contribute \$16,760 with the highway department paying the balance. Heirbrandt has been instructed to discuss Westfield's contribution with Curt Aikman and he will reach out to him today. Altman asked if the River Road contract can be awarded and hold the award of the access area for the next meeting or wait until the next meeting to award the entire contract? Altman would prefer we had an Interlocal agreement from Westfield signed before proceeding. Davis replied the base contract can be awarded and then hold on awarding the addendum. Howard will prepare the Interlocal agreement for Westfield. Davis added when we coordinate with other entities for resurface contracts we normally have just a written agreement on the invoice. Altman wants to make sure it is enforceable. Howard asked Mark Fisher to send him the language and he will send it to Westfield next week although we probably will not get a signed agreement back before the Commissioners meet on September 8<sup>th</sup>. The award can be made subject to Westfield's approval of the Interlocal agreement. Heirbrandt moved to award Resurface Contract 14-02 with the provision that the Addendum for the entrance to the Public Safety Training Facility be suspended until the next meeting. Altman seconded. Motion carried unanimously.

**146<sup>th</sup>/SR 37 Access**

Discussion was held on the access of a proposed development 75 acre parcel located on the northeast corner of 146<sup>th</sup> Street and State Road 37. Mr. Charlie Frankenburger reported last month the City of Noblesville approved their request to develop this parcel into a residential component and a commercial component with mixed use. The residential component will occupy the northern 25 acres and it will consist of high-end apartments. They will not exit directly onto 146<sup>th</sup> Street; they will access 146<sup>th</sup> Street

MINUTES  
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through North Pointe Boulevard. Heirbrandt asked what kind of boundary will be between the residential and commercial area? Frankenburger replied there will be buffering and will likely be a pedestrian only path, no motorized vehicles will be allowed. The south 50 acres is occupied by our commercial component which will have among its users a car dealership and a grocery store. Altman asked if the 50 acre parcel will be further subdivided? Mr. Tom Crowley replied yes. No development plans have been filed for the individual lots. Howard reported all Noblesville City Council and Plan Commission approvals are in place and once the Planned Development is received with uses and standards then the site by site development is a staff ministerial procedure. Altman asked if part of the PD allows for a gas station? Crowley replied yes, they are talking to two (2) gas stations for this corner. Altman replied that is problematic for this corner especially with the proposed interchange on SR 37. Crowley stated if the interchange is constructed the west access drive goes away.

Frankenburger reported the drawings, with a west access drive that is right-in, right out only. The east access drive is a full access road cut. At the county highway's request, a roundabout at North Pointe Boulevard and 146<sup>th</sup> Street has been shown. If the proposed SR 37 interchange is constructed the west access cut will go away and the full east access cut will be converted to a right-in, right-out only. They would enter into a development agreement that would include commitments to dedicate right of way on the southwest corner for the interchange improvements and representations and agreements that no one would seek compensation for that dedication of right of way or the conversion of the right-in, right-out into nothing or the full access into a right-in, right-out only. This is an important parcel to the City of Noblesville and these road cuts are essential to development of this parcel. We do not think we can attract the users we want on this parcel without them and will formally present the request to the Commissioners at your September 8<sup>th</sup> meeting.

Heirbrandt likes the roundabout at North Pointe Boulevard because it will slow west bound traffic. He also likes that they will be deleting the west access. Altman stated the east access may have to go to a right-in, right-out before the roundabout is built, if traffic warrants. If we have a huge accident problem we will not put a stop light at the east access drive, never. Crowley noted it is very important initially to have these cuts. People will find their way around. One of the advantages of this site is there are multiple ways over to Cumberland Road. We understand there is a traffic problem there. We need these access cuts in order to get users into these parcels, then as conditions change then access changes. As access goes away, people will get there.

Altman asked what is the construction schedule for the internal roads? Crowley replied they will start in the spring (2015) with the reason being one of the dealerships will open spring of 2016. Nothing on the grocery store has been finalized but he is thinking that will be the fall of 2016. Altman stated we would want commitments as to when this stuff goes in. Crowley replied the problem is they are not sure what is going to be built on the north part of the parcel so they are not sure of the configuration. Altman stated

MINUTES  
HAMILTON COUNTY BOARD OF COMMISSIONERS  
AUGUST 29, 2014  
Hamilton County Highway Department  
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Noblesville, Indiana

we would care only if this becomes problematic and you need another out. Crowley replied we have agreed to four access points with the City of Noblesville along North Pointe Boulevard with a good chance if they built the road too soon they may be tearing it out and they do not want to get into that situation. Altman understands but we might be forced to close off access more quickly; then there is a problem if the relief valve is not there. The people to the south of 146<sup>th</sup> Street did not follow through on their commitments and they may have inconvenient access.

Heirbrandt asked when do they intend to meet with highway staff to work out the details? Frankenburger replied they were trying to meet a couple of weeks ago but were unable to arrange a date. A traffic impact analysis was prepared and e-mailed to the highway staff. It was reviewed after distribution and there are some un-vetted assumptions that might be better clarified with some additional details. A&F Engineering has since clarified them and they will forward a revised analysis to highway staff. They are ready to meet at any time. Crowley would like to meet prior to September 8<sup>th</sup>, they have a closing scheduled for October 15<sup>th</sup>, which he understands is not the county's problem. Altman replied they don't want to hold them up but want to make sure if any commitments are made that everybody understands what the deal and the consequences are.

Howard stated he understands safety and engineering is an issue but he was asked to look at TIF (Tax Incremental Financing) opportunities along SR 37. The debt on the Fishers New Britton TIF is a lot. There is some vacant ground but other than the old golf course there is not a lot of vacant ground along that corridor and TIF is about capturing the revenue from new assessed value. Altman asked whose TIF is this? Howard replied right now it will be Noblesville's and it is going to be a new TIF area with the purpose to do intersection improvements at 146<sup>th</sup> Street and SR 37. Altman asked if we have that commitment since it is Noblesville's TIF? Howard replied you will once the TIF is completed. Howard added the TIF will also include the southwest quadrant to 141<sup>st</sup> Street due to potential access activity. The point being there is not a lot of TIF that is uncommitted and there are not a lot of places to put a new TIF District where anything is going to grow. Altman replied that is all understood but as we go through these things nobody was watching on the south development and things did not get done and we are not going to operate like that anymore. If commitments are made they are going to be fulfilled and everybody needs to understand what they are and when things can go away. If we have a safety problem it may have to go away but it will be based on a safety problem.

Howard asked Frankenburger to send him a draft of the covenants to him next week so they at least put it into the record subject to refining and execution of the commitments.

Davis thanked them for the traffic impact analysis. In order to speed things along there are a couple of things that will need to be addressed; one is the right-out on the west access drive, we have always had an issue with that because of the people that would be coming out of there to cross over all of those lanes to go southbound SR 37. The other issue is the request for full access at the east access drive

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which creates a bit of problem in providing left turn storage on the eastbound. We don't want to decrease the turn lane lengths for SR 37. Crowley asked if the green time east-west can be increased? Davis replied no. Frankenburger asked if jurisdiction of SR 37 will transfer to the county when the interchange improvements go in? Davis replied that is not a definite project, Howard added that is five to seven years in the future. Crowley stated the bottom line on the traffic is that there is nothing they are going to do to make it better; we are not going to make it much worse. We need to have this in order to get these first users in here. Frankenburger stated they understand the concern on the left turn movement onto 146<sup>th</sup> Street. If we take that access, at this point in time, and make it less than a full access we will have a hard time marketing this development to the desirable users.

Altman recommended the covenants include no private traffic control. Crowley agreed. Heirbrandt encouraged them to schedule a meeting with the highway staff before they come before the Commissioners on September 8<sup>th</sup>.

**146<sup>th</sup> Street West Closure**

Mr. Joel Thurman reported he has spoken to representatives of the cities, fire departments and schools in Westfield and Carmel regarding the closure of 146<sup>th</sup> Street for one week in October for installation of a culvert and none of them have an issue with the closing. Westfield does have an improvement project planned to go to letting this fall at 156<sup>th</sup> Street and Springmill Road to turn it into a roundabout. Utilities will be working over the winter so the project will be done in the spring of 2015. It would benefit them for us to have our project done this fall for coordination in the spring. There is not an exact date set for the closure but it will occur in late October. Altman asked that the media be notified as soon as possible and make sure it is noted we are coordinating with the other entities. Heirbrandt moved to allow the road closure for seven days sometime in October. Altman seconded. Motion carried unanimously.

**146<sup>th</sup> Street and Gray Road**

Davis informed the Commissioners they have received a request for access off of 146<sup>th</sup> Street near Gray Road for a subdivision. The developer has presented the various options to the City of Carmel and has now presented the options to the county. We do not know a lot of detail at this point; and are waiting for the developer to schedule a meeting with highway staff. The Commissioners prefer Option C.

**SR 37 Economic Impact Study**

Davis will contact the Hamilton County Economic Development Corporation to discuss their providing an economic impact study for the proposed SR 37 project. Davis reported the CoNexis Group (freight) is going to endorse the proposed SR 37 project and will forward that endorsement to the State.

Heirbrandt moved to adjourn. Altman seconded. Motion carried unanimously.

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**Present**

Christine Altman, Commissioner  
Mark Heirbrandt, Commissioner  
Dawn Coverdale, Auditor  
Dan Stevens, Director of Administration  
Kim Rauch, Administrative Assistant to Auditor  
Michael Howard, Attorney  
Brad Davis, Highway Director  
Joel Thurman, Highway Project Engineer  
Dave Lucas, Highway Staff Engineer  
Matt Knight, Highway Bridge Program Engineer  
Mark Fisher, Highway Project Engineer  
William Hughes, Superior Court Judge  
Steve Schwartz, County Councilor  
Sheriff Mark Bowen, Sheriff's Department  
Captain Tom Gehlhausen, Sheriff's Department  
Tom Crowley, 146<sup>th</sup> Street & SR 37 Development  
Charlie Frankenburger, 146<sup>th</sup> Street & SR 37 Development  
Jon Dobosiewicz, 146<sup>th</sup> Street & SR 37 Development

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**APPROVED**  
**HAMILTON COUNTY BOARD OF COMMISSIONERS**

Christine Altman  
Steven C. Dillinger  
Mark Heirbrandt

**ATTEST**  
Dawn Coverdale, Auditor

Date Approved: 9/8/2014